

A. G. Contract No. KR95 1742TRN  
COT Contract No. 0052-96  
ADOT ECS File: JPA 95-132  
Project: STP-900-0(124)/H4115 03X  
Section: FY95 - 96 Urban Form  
Program

**INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
THE CITY OF TUCSON

THIS AGREEMENT is entered into 17 October, 1995,  
pursuant to Arizona Revised Statutes Section 11-952 through  
11-954 as amended, between the STATE OF, acting by and through  
its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF  
TUCSON, acting by and through its MAYOR and CITY COUNCIL (the  
"City").

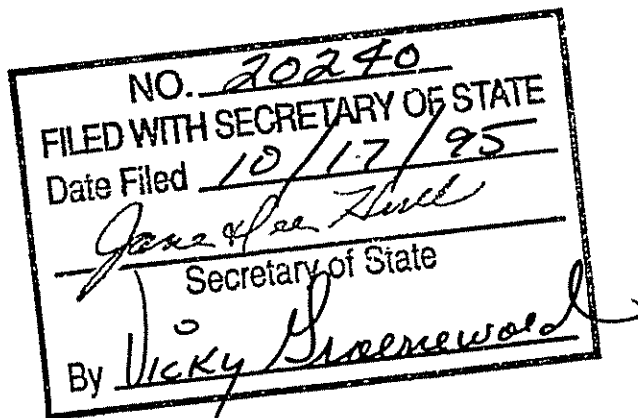
I. RECITALS

1. The State is empowered by Arizona Revised Statutes  
Section 28-108 and 28-112 to enter into this agreement and has  
by resolution, a copy of which is attached hereto and made a  
part hereof, resolved to enter into this agreement and has  
delegated to the undersigned the authority to execute this  
agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes  
Section 48-572 to enter into this agreement and has by  
resolution, a copy of which is attached hereto and made a part  
hereof, resolved to enter into this agreement and has  
authorized the undersigned to execute this agreement on behalf  
of the City.

3. The Federal Intermodal Surface Transportation  
Efficiency Act of 1991 has made funds available to the State  
for the use of the City to conduct the Urban Form Program. The  
State and the City desire to define their respective  
responsibilities relating to the transfer of up to \$47,150.00  
thru the State to the City and the expenditure thereof.

THEREFORE, in consideration of the mutual agreements expressed  
herein, it is agreed as follows:



## II. SCOPE

### 1. The State will:

Provide the City federal STP funds in the amount of up to \$47,150.00, on a monthly cost reimbursement basis for activities performed relating to the Urban Form Program.

### 2. The City will:

a. Apply funding to project work activities in strict accordance with applicable Federal and State laws, rules and regulations.

b. Conduct related work activities generally in accordance with Attachment A, which is incorporated herein and made a part hereof. Be responsible for any claims for extra compensation.

c. Provide the required \$2,850.00 match in funds or in-kind services, and invoice the State for reimbursement no more often than monthly, supported by narrative reports, in a total amount not to exceed \$47,150.00.

## III. MISCELLANEOUS PROVISIONS

1. The primary interest of the Arizona Department of Transportation in this agreement is to convey federal pass through funds for the use and benefit of the City by reason of State and Federal law under which funds for the activities are authorized to be expended.

2. This agreement shall remain in force and effect until completion of said activities and reimbursements; provided, however, that this agreement may be cancelled at any time prior to the commencement of performance, upon thirty (30) days written notice to the other party.

3. Should the work contemplated under this agreement be completed at a lower cost than the reimbursed amount, or for any other reason should any of these funds not be expended, a proportionate amount of the funds provided shall be reimbursed to the State.

4. This agreement shall become effective upon filing with the Secretary of State.

5. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

6. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

7. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth in Arizona Revised Statutes Section 12-1518.

8. All notices or demands upon any party relating to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Mail Drop 616E  
Phoenix, AZ 85007

City of Tucson  
Transportation Director  
PO Box 27210  
Tucson, AZ 85726-7210

9. Attached hereto and incorporated herein is the written determination of legal counsel that the parties are authorized under the laws of this State to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

**CITY OF TUCSON**

**STATE OF ARIZONA**


Department of Transportation

By



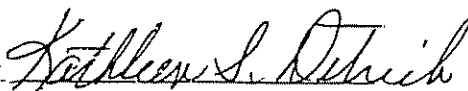
GEORGE MILLER  
Mayor

By

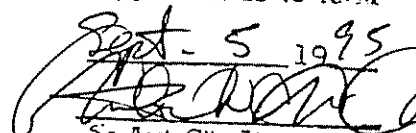
  
JAY KLAGGE, Director  
Transportation Planning

ATTEST

By

  
KATHLEEN S. DETRICK  
City Clerk

Approved as to form

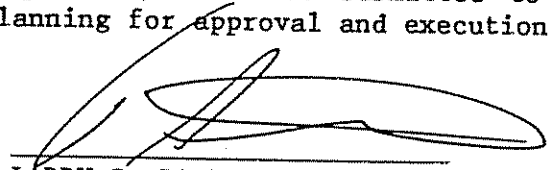
Sept. 5 1995  
  
Sq. Asst. City Attorney

582/7-9

RESOLUTION

BE IT RESOLVED on this 25th day of July 1995, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with the City of Tucson for the purpose of defining responsibilities for the pass through of STP federal aid funds to accomplish the FY-95-96 Pavement Management System, Bicycle Promotional Campaign, Urban Form Program and Advanced Transportation Technologies Transfer program.

Therefore, authorization is hereby granted to draft said agreements which, upon completion, shall be submitted to the Director, Transportation Planning for approval and execution.



for LARRY S. BONINE  
- Director

ADOPTED BY THE  
MAYOR AND COUNCIL

SEP 18 1995

RESOLUTION NO. 17029

RELATING TO PLANNING; APPROVING AN INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE ARIZONA DEPARTMENT OF TRANSPORTATION AND THE  
CITY OF TUCSON FOR URBAN FORM PROGRAM FUNDING.

WHEREAS, the Federal Intermodal Surface Transportation Efficiency Act of  
1991 (ISTEA) has made funds available to the state for use by the City to support the  
Urban Form Program; and

WHEREAS, in the past Arizona has contracted with the Arizona Department of  
Transportation for Urban Form Program funds for the purposes of improving infill  
development and thereby improving air quality and access to alternative modes of  
transportation; and

WHEREAS, the City of Tucson is requesting additional funds for the next grant  
year from the Arizona Department of Transportation to focus on additional methods to  
integrate land use and transportation, enhance the urban environment and promote  
infill through such means as production of design guidelines to improve the City's image  
and strategies and incentives for integrated infill and identified locations; and

WHEREAS, Mayor and Council wish to authorize the execution of the  
intergovernmental agreement with Arizona Department of Transportation for funding of  
the Urban form Program;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF  
THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

SECTION 1. The Intergovernmental Agreement with the Arizona Department of  
Transportation for Urban Form Program funding which is attached hereto as approved.

CITY CLERK'S NOTE

This item adopted 9/11/95 WITHOUT  
the emergency clause: reconsidered on  
9/18/95 and adopted WITH emergency  
clause by a 10 to 0 vote

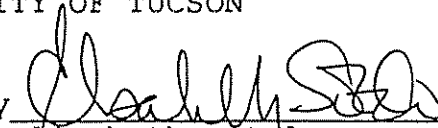
APPROVAL OF THE CITY ATTORNEY

I hereby state that I have reviewed the proposed Inter-governmental Agreement between the Arizona Department of Transportation and the CITY OF TUCSON and declare the Agreement to be in proper form and within the powers and authority granted under the laws of the State of Arizona.

DATED this 18th day of August, 1995

CITY OF TUCSON

By

A handwritten signature in dark ink, appearing to read 'Elisabeth Sotelo', written over a horizontal line.

Elisabeth Sotelo

Principal Assistant City Attorney

**CATEGORY 600 - Transportation**

**SUBCATEGORY 602 - Short Range Transportation Planning**

**Work Element:**        **602.13 Urban Form Program**

**Objective(s):** Promote infill development by improving public understanding of land use regulations and processes, leading to an urban form that reduces travel demand and promotes the use of alternative modes.

**Products:**            1.        Graphic illustrations (drawings, perspectives, diagrams, development scenarios) depicting the application of City of Tucson regulations.

Illustrations will be inserted into the legal text of the zoning code and/or incorporated into development standards. The output from this project will be transferable to other PAG jurisdictions and encourage an efficient and enhanced urban form that fosters reduced travel demand and promotes the use of alternative modes. As described in the Regional Vision for Eastern Pima County, this product will "reduce dependence on the automobile and further the overall air quality goals of the region" by "project(ing) a view of desired development patterns and characteristics."

**Anticipated Impact:** This project will provide illustrated guidelines and standards for future private and public development promoting infill development and leading to reduced travel demand. Graphic illustrations will supplement written regulations to enhance understanding of the purpose for and anticipated results from development requirements. Illustrations will present visual examples of mixed-use and clustered land uses, access and connections to and between developments, and urban design elements such as streetscape amenities to encourage use of alternate modes.

**Tasks:**                            A.        Research other communities and professional agencies for examples of visualization-based regulatory codes.

   B.        Review City of Tucson zoning code and development standards to identify opportunities to clarify regulations through graphic representation.

602.13 (continued...)

- C. Purchase computer software to enable creation and interface of graphics with written standards.
- D. Hire consultant to (1) produce identified list of illustrations and insert into written regulations; and (2) provide training and technical assistance to staff on use of computer software programs for future additions and modifications to regulations.

FUNDING SOURCE	AMOUNT	RESPONSIBLE AGENCY	COST
STP	\$47,150	TDOT	\$50,000
MATCH	2,850		
TOTAL	\$50,000.00	TOTAL	\$50,000.00





STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

GRANT WOODS  
ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

MAIN PHONE : 542-5025  
TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT  
DETERMINATION

A. G. Contract No. KR95-1742-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. §11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 6th day of October, 1995.

GRANT WOODS  
Attorney General

JAMES R. REDPATH  
Assistant Attorney General  
Transportation Section

JRR:lsr  
8957G/22